

AMENDMENT TO RULES COMMITTEE

PRINT 118-10

OFFERED BY MR. NEGUSE OF COLORADO

At the end of the bill, add the following:

1 **DIVISION E—COLORADO OUT-**
2 **DOOR RECREATION AND**
3 **ECONOMY ACT**

4 **SEC. 5001. DEFINITION OF STATE.**

5 In this division, the term “State” means the State
6 of Colorado.

7 **TITLE I—CONTINENTAL DIVIDE**

8 **SEC. 5101. DEFINITIONS.**

9 In this title:

10 (1) COVERED AREA.—The term “covered area”
11 means any area designated as wilderness by the
12 amendments to section 2(a) of the Colorado Wilder-
13 ness Act of 1993 (16 U.S.C. 1132 note; Public Law
14 103–77) made by section 5102(a).

15 (2) SECRETARY.—The term “Secretary” means
16 the Secretary of Agriculture.

17 (3) WILDLIFE CONSERVATION AREA.—The
18 term “Wildlife Conservation Area” means, as appli-
19 cable—

1 (A) the Porcupine Gulch Wildlife Con-
2 servation Area designated by section 5104(a);

3 (B) the Williams Fork Mountains Wildlife
4 Conservation Area designated by section
5 5105(a); and

6 (C) the Spraddle Creek Wildlife Conserva-
7 tion Area designated by section 5106(a).

8 **SEC. 5102. COLORADO WILDERNESS ADDITIONS.**

9 (a) DESIGNATION.—Section 2(a) of the Colorado Wil-
10 derness Act of 1993 (16 U.S.C. 1132 note; Public Law
11 103–77) is amended—

12 (1) in paragraph (18), by striking “1993,” and
13 inserting “1993, and certain Federal land within the
14 White River National Forest that comprises approxi-
15 mately 6,896 acres, as generally depicted as ‘Pro-
16 posed Ptarmigan Peak Wilderness Additions’ on the
17 map entitled ‘Proposed Ptarmigan Peak Wilderness
18 Additions’ and dated June 24, 2019,”; and

19 (2) by adding at the end the following:

20 “(23) HOLY CROSS WILDERNESS ADDITION.—
21 Certain Federal land within the White River Na-
22 tional Forest that comprises approximately 3,866
23 acres, as generally depicted as ‘Proposed Megan
24 Dickie Wilderness Addition’ on the map entitled
25 ‘Holy Cross Wilderness Addition Proposal’ and

1 dated June 24, 2019, which shall be incorporated
2 into, and managed as part of, the Holy Cross Wil-
3 derness designated by section 102(a)(5) of Public
4 Law 96–560 (94 Stat. 3266).

5 “(24) HOOSIER RIDGE WILDERNESS.—Certain
6 Federal land within the White River National Forest
7 that comprises approximately 5,235 acres, as gen-
8 erally depicted as ‘Proposed Hoosier Ridge Wilder-
9 ness’ on the map entitled ‘Tenmile Proposal’ and
10 dated April 22, 2022, which shall be known as the
11 ‘Hoosier Ridge Wilderness’.

12 “(25) TENMILE WILDERNESS.—Certain Federal
13 land within the White River National Forest that
14 comprises approximately 7,624 acres, as generally
15 depicted as ‘Proposed Tenmile Wilderness’ on the
16 map entitled ‘Tenmile Proposal’ and dated May 1,
17 2023, which shall be known as the ‘Tenmile Wilder-
18 ness’.

19 “(26) EAGLES NEST WILDERNESS ADDI-
20 TIONS.—Certain Federal land within the White
21 River National Forest that comprises approximately
22 7,634 acres, as generally depicted as ‘Proposed
23 Freeman Creek Wilderness Addition’ and ‘Proposed
24 Spraddle Creek Wilderness Addition’ on the map en-
25 titled ‘Eagles Nest Wilderness Additions Proposal’

1 and dated April 26, 2022, which shall be incor-
2 porated into, and managed as part of, the Eagles
3 Nest Wilderness designated by Public Law 94–352
4 (90 Stat. 870).”.

5 (b) APPLICABLE LAW.—Any reference in the Wilder-
6 ness Act (16 U.S.C. 1131 et seq.) to the effective date
7 of that Act shall be considered to be a reference to the
8 date of enactment of this Act for purposes of admin-
9 istering a covered area.

10 (c) FIRE, INSECTS, AND DISEASES.—In accordance
11 with section 4(d)(1) of the Wilderness Act (16 U.S.C.
12 1133(d)(1)), the Secretary may carry out any activity in
13 a covered area that the Secretary determines to be nec-
14 essary for the control of fire, insects, and diseases, subject
15 to such terms and conditions as the Secretary determines
16 to be appropriate.

17 (d) GRAZING.—The grazing of livestock on a covered
18 area, if established before the date of enactment of this
19 Act, shall be permitted to continue subject to such reason-
20 able regulations as are considered to be necessary by the
21 Secretary, in accordance with—

22 (1) section 4(d)(4) of the Wilderness Act (16
23 U.S.C. 1133(d)(4)); and

24 (2) the guidelines set forth in the report of the
25 Committee on Interior and Insular Affairs of the

1 House of Representatives accompanying H.R. 5487
2 of the 96th Congress (H. Rept. 96–617).

3 (e) COORDINATION.—For purposes of administering
4 the Federal land designated as wilderness by paragraph
5 (26) of section 2(a) of the Colorado Wilderness Act of
6 1993 (16 U.S.C. 1132 note; Public Law 103–77) (as
7 added by subsection (a)(2)), the Secretary shall, as deter-
8 mined to be appropriate for the protection of watersheds,
9 coordinate the activities of the Secretary in response to
10 fires and flooding events with interested State and local
11 agencies.

12 **SEC. 5103. WILLIAMS FORK MOUNTAINS POTENTIAL WIL-**
13 **DERNESS.**

14 (a) DESIGNATION.—In furtherance of the purposes of
15 the Wilderness Act (16 U.S.C. 1131 et seq.), certain Fed-
16 eral land in the White River National Forest in the State,
17 comprising approximately 8,036 acres, as generally de-
18 picted as “Proposed Williams Fork Mountains Wilder-
19 ness” on the map entitled “Williams Fork Mountains Pro-
20 posal” and dated June 24, 2019, is designated as a poten-
21 tial wilderness area.

22 (b) MANAGEMENT.—Subject to valid existing rights
23 and except as provided in subsection (d), the potential wil-
24 derness area designated by subsection (a) shall be man-
25 aged in accordance with—

1 (1) the Wilderness Act (16 U.S.C. 1131 et
2 seq.); and

3 (2) this section.

4 (c) LIVESTOCK USE OF VACANT ALLOTMENTS.—

5 (1) IN GENERAL.—Not later than 3 years after
6 the date of enactment of this Act, in accordance
7 with applicable laws (including regulations), the Sec-
8 retary shall publish a determination regarding
9 whether to authorize livestock grazing or other use
10 by livestock on the vacant allotments known as—

11 (A) the “Big Hole Allotment”; and

12 (B) the “Blue Ridge Allotment”.

13 (2) MODIFICATION OF ALLOTMENTS.—In pub-
14 lishing a determination pursuant to paragraph (1),
15 the Secretary may modify or combine the vacant al-
16 lotments referred to in that paragraph.

17 (3) PERMIT OR OTHER AUTHORIZATION.—Not
18 later than 1 year after the date on which a deter-
19 mination of the Secretary to authorize livestock
20 grazing or other use by livestock is published under
21 paragraph (1), if applicable, the Secretary shall
22 grant a permit or other authorization for that live-
23 stock grazing or other use in accordance with appli-
24 cable laws (including regulations).

25 (d) RANGE IMPROVEMENTS.—

1 (1) IN GENERAL.—If the Secretary permits live-
2 stock grazing or other use by livestock on the poten-
3 tial wilderness area under subsection (c), the Sec-
4 retary, or a third party authorized by the Secretary,
5 may use motorized or mechanized transport or
6 equipment for purposes of constructing or rehabili-
7 tating such range improvements as are necessary to
8 obtain appropriate livestock management objectives
9 (including habitat and watershed restoration).

10 (2) TERMINATION OF AUTHORITY.—The au-
11 thority provided by this subsection terminates on the
12 date that is 2 years after the date on which the Sec-
13 retary publishes a positive determination under sub-
14 section (c)(3).

15 (e) DESIGNATION AS WILDERNESS.—

16 (1) DESIGNATION.—The potential wilderness
17 area designated by subsection (a) shall be designated
18 as wilderness, to be known as the “Williams Fork
19 Mountains Wilderness”—

20 (A) effective not earlier than the date that
21 is 180 days after the date of enactment this
22 Act; and

23 (B) on the earliest of—

24 (i) the date on which the Secretary
25 publishes in the Federal Register a notice

1 that the construction or rehabilitation of
2 range improvements under subsection (d)
3 is complete;

4 (ii) the date described in subsection
5 (d)(2); and

6 (iii) the effective date of a determina-
7 tion of the Secretary not to authorize live-
8 stock grazing or other use by livestock
9 under subsection (c)(1).

10 (2) ADMINISTRATION.—Subject to valid existing
11 rights, the Secretary shall manage the Williams
12 Fork Mountains Wilderness in accordance with the
13 Colorado Wilderness Act of 1993 (16 U.S.C. 1132
14 note; Public Law 103–77), except that any reference
15 in that Act to the effective date of that Act shall be
16 considered to be a reference to the date on which the
17 Williams Fork Mountains Wilderness is designated
18 in accordance with paragraph (1).

19 **SEC. 5104. PORCUPINE GULCH WILDLIFE CONSERVATION**
20 **AREA.**

21 (a) DESIGNATION.—Subject to valid existing rights,
22 the approximately 8,287 acres of Federal land located in
23 the White River National Forest, as generally depicted as
24 “Proposed Porcupine Gulch Wildlife Conservation Area”
25 on the map entitled “Porcupine Gulch Wildlife Conserva-

1 tion Area Proposal” and dated June 24, 2019, are des-
2 ignated as the “Porcupine Gulch Wildlife Conservation
3 Area” (referred to in this section as the “Wildlife Con-
4 servation Area”).

5 (b) PURPOSES.—The purposes of the Wildlife Con-
6 servation Area are—

7 (1) to conserve and protect a wildlife migration
8 corridor over Interstate 70; and

9 (2) to conserve, protect, and enhance for the
10 benefit and enjoyment of present and future genera-
11 tions the wildlife, scenic, roadless, watershed, and
12 ecological resources of the Wildlife Conservation
13 Area.

14 (c) MANAGEMENT.—

15 (1) IN GENERAL.—The Secretary shall manage
16 the Wildlife Conservation Area—

17 (A) in a manner that conserves, protects,
18 and enhances the purposes described in sub-
19 section (b); and

20 (B) in accordance with—

21 (i) the Forest and Rangeland Renew-
22 able Resources Planning Act of 1974 (16
23 U.S.C. 1600 et seq.);

24 (ii) any other applicable laws (includ-
25 ing regulations); and

1 (iii) this section.

2 (2) USES.—

3 (A) IN GENERAL.—The Secretary shall
4 only allow such uses of the Wildlife Conserva-
5 tion Area as the Secretary determines would
6 further the purposes described in subsection
7 (b).

8 (B) RECREATION.—The Secretary may
9 permit such recreational activities in the Wild-
10 life Conservation Area that the Secretary deter-
11 mines are consistent with the purposes de-
12 scribed in subsection (b).

13 (C) MOTORIZED VEHICLES AND MECHA-
14 NIZED TRANSPORT; NEW OR TEMPORARY
15 ROADS.—

16 (i) MOTORIZED VEHICLES AND
17 MECHANIZED TRANSPORT.—Except as pro-
18 vided in clause (iii), the use of motorized
19 vehicles and mechanized transport in the
20 Wildlife Conservation Area shall be prohib-
21 ited.

22 (ii) NEW OR TEMPORARY ROADS.—
23 Except as provided in clause (iii) and sub-
24 section (e), no new or temporary road shall

1 be constructed within the Wildlife Con-
2 servation Area.

3 (iii) EXCEPTIONS.—Nothing in clause
4 (i) or (ii) prevents the Secretary from—

5 (I) authorizing the use of motor-
6 ized vehicles or mechanized transport
7 for administrative purposes;

8 (II) constructing temporary
9 roads or permitting the use of motor-
10 ized vehicles or mechanized transport
11 to carry out pre- or post-fire water-
12 shed protection projects;

13 (III) authorizing the use of mo-
14 torized vehicles or mechanized trans-
15 port to carry out activities described
16 in subsection (d) or (e); or

17 (IV) responding to an emergency.

18 (D) COMMERCIAL TIMBER.—

19 (i) IN GENERAL.—Subject to clause
20 (ii), no project shall be carried out in the
21 Wildlife Conservation Area for the purpose
22 of harvesting commercial timber.

23 (ii) LIMITATION.—Nothing in clause
24 (i) prevents the Secretary from harvesting
25 or selling a merchantable product that is a

1 byproduct of an activity authorized under
2 this section.

3 (d) FIRE, INSECTS, AND DISEASES.—The Secretary
4 may carry out any activity, in accordance with applicable
5 laws (including regulations), that the Secretary deter-
6 mines to be necessary to manage wildland fire and treat
7 hazardous fuels, insects, and diseases in the Wildlife Con-
8 servation Area, subject to such terms and conditions as
9 the Secretary determines to be appropriate.

10 (e) REGIONAL TRANSPORTATION PROJECTS.—Noth-
11 ing in this section or section 5110(f) precludes the Sec-
12 retary from authorizing, in accordance with applicable
13 laws (including regulations) and subject to valid existing
14 rights, the use of the subsurface of the Wildlife Conserva-
15 tion Area to construct, realign, operate, or maintain re-
16 gional transportation projects, including Interstate 70 and
17 the Eisenhower-Johnson Tunnels.

18 (f) WATER.—Section 3(e) of the James Peak Wilder-
19 ness and Protection Area Act (Public Law 107–216; 116
20 Stat. 1058) shall apply to the Wildlife Conservation Area.

21 **SEC. 5105. WILLIAMS FORK MOUNTAINS WILDLIFE CON-**
22 **SERVATION AREA.**

23 (a) DESIGNATION.—Subject to valid existing rights,
24 the approximately 3,528 acres of Federal land in the
25 White River National Forest in the State, as generally de-

1 picted as “Proposed Williams Fork Mountains Wildlife
2 Conservation Area” on the map entitled “Williams Fork
3 Mountains Proposal” and dated June 24, 2019, are des-
4 ignated as the “Williams Fork Mountains Wildlife Con-
5 servation Area” (referred to in this section as the “Wild-
6 life Conservation Area”).

7 (b) PURPOSES.—The purposes of the Wildlife Con-
8 servation Area are to conserve, protect, and enhance for
9 the benefit and enjoyment of present and future genera-
10 tions the wildlife, scenic, roadless, watershed, recreational,
11 and ecological resources of the Wildlife Conservation Area.

12 (c) MANAGEMENT.—

13 (1) IN GENERAL.—The Secretary shall manage
14 the Wildlife Conservation Area—

15 (A) in a manner that conserves, protects,
16 and enhances the purposes described in sub-
17 section (b); and

18 (B) in accordance with—

19 (i) the Forest and Rangeland Renew-
20 able Resources Planning Act of 1974 (16
21 U.S.C. 1600 et seq.);

22 (ii) any other applicable laws (includ-
23 ing regulations); and

24 (iii) this section.

25 (2) USES.—

1 (A) IN GENERAL.—The Secretary shall
2 only allow such uses of the Wildlife Conserva-
3 tion Area as the Secretary determines would
4 further the purposes described in subsection
5 (b).

6 (B) MOTORIZED VEHICLES.—

7 (i) IN GENERAL.—Except as provided
8 in clause (iii), the use of motorized vehicles
9 in the Wildlife Conservation Area shall be
10 limited to designated roads and trails.

11 (ii) NEW OR TEMPORARY ROADS.—
12 Except as provided in clause (iii), no new
13 or temporary road shall be constructed in
14 the Wildlife Conservation Area.

15 (iii) EXCEPTIONS.—Nothing in clause
16 (i) or (ii) prevents the Secretary from—

17 (I) authorizing the use of motor-
18 ized vehicles for administrative pur-
19 poses;

20 (II) authorizing the use of motor-
21 ized vehicles to carry out activities de-
22 scribed in subsection (d); or

23 (III) responding to an emer-
24 gency.

1 (C) BICYCLES.—The use of bicycles in the
2 Wildlife Conservation Area shall be limited to
3 designated roads and trails.

4 (D) COMMERCIAL TIMBER.—

5 (i) IN GENERAL.—Subject to clause
6 (ii), no project shall be carried out in the
7 Wildlife Conservation Area for the purpose
8 of harvesting commercial timber.

9 (ii) LIMITATION.—Nothing in clause
10 (i) prevents the Secretary from harvesting
11 or selling a merchantable product that is a
12 byproduct of an activity authorized under
13 this section.

14 (E) GRAZING.—The laws (including regu-
15 lations) and policies followed by the Secretary
16 in issuing and administering grazing permits or
17 leases on land under the jurisdiction of the Sec-
18 retary shall continue to apply with regard to
19 the land in the Wildlife Conservation Area, con-
20 sistent with the purposes described in sub-
21 section (b).

22 (d) FIRE, INSECTS, AND DISEASES.—The Secretary
23 may carry out any activity, in accordance with applicable
24 laws (including regulations), that the Secretary deter-
25 mines to be necessary to manage wildland fire and treat

1 hazardous fuels, insects, and diseases in the Wildlife Con-
2 servation Area, subject to such terms and conditions as
3 the Secretary determines to be appropriate.

4 (e) WATER.—Section 3(e) of the James Peak Wilder-
5 ness and Protection Area Act (Public Law 107–216; 116
6 Stat. 1058) shall apply to the Wildlife Conservation Area.

7 **SEC. 5106. SPRADDLE CREEK WILDLIFE CONSERVATION**
8 **AREA.**

9 (a) DESIGNATION.—Subject to valid existing rights,
10 the approximately 2,674 acres of Federal land in the
11 White River National Forest in the State, as generally de-
12 picted as “Proposed Spraddle Creek Wildlife Conservation
13 Area” on the map entitled “Eagles Nest Wilderness Addi-
14 tions Proposal” and dated April 26, 2022, are designated
15 as the “Spraddle Creek Wildlife Conservation Area” (re-
16 ferred to in this section as the “Wildlife Conservation
17 Area”).

18 (b) PURPOSES.—The purposes of the Wildlife Con-
19 servation Area are to conserve, protect, and enhance for
20 the benefit and enjoyment of present and future genera-
21 tions the wildlife, scenic, roadless, watershed, recreational,
22 and ecological resources of the Wildlife Conservation Area.

23 (c) MANAGEMENT.—

24 (1) IN GENERAL.—The Secretary shall manage
25 the Wildlife Conservation Area—

1 (A) in a manner that conserves, protects,
2 and enhances the purposes described in sub-
3 section (b); and

4 (B) in accordance with—

5 (i) the Forest and Rangeland Renew-
6 able Resources Planning Act of 1974 (16
7 U.S.C. 1600 et seq.);

8 (ii) any other applicable laws (includ-
9 ing regulations); and

10 (iii) this title.

11 (2) USES.—

12 (A) IN GENERAL.—The Secretary shall
13 only allow such uses of the Wildlife Conserva-
14 tion Area as the Secretary determines would
15 further the purposes described in subsection
16 (b).

17 (B) MOTORIZED VEHICLES AND MECHA-
18 NIZED TRANSPORT.—Except as necessary for
19 administrative purposes or to respond to an
20 emergency, the use of motorized vehicles and
21 mechanized transport in the Wildlife Conserva-
22 tion Area shall be prohibited.

23 (C) ROADS.—

1 (i) IN GENERAL.—Except as provided
2 in clause (ii), no road shall be constructed
3 in the Wildlife Conservation Area.

4 (ii) EXCEPTIONS.—Nothing in clause
5 (i) prevents the Secretary from—

6 (I) constructing a temporary
7 road as the Secretary determines to
8 be necessary as a minimum require-
9 ment for carrying out a vegetation
10 management project in the Wildlife
11 Conservation Area; or

12 (II) responding to an emergency.

13 (iii) DECOMMISSIONING OF TEM-
14 PORARY ROADS.—Not later than 3 years
15 after the date on which the applicable
16 vegetation management project is com-
17 pleted, the Secretary shall decommission
18 any temporary road constructed under
19 clause (ii)(I) for the applicable vegetation
20 management project.

21 (D) COMMERCIAL TIMBER.—

22 (i) IN GENERAL.—Subject to clause
23 (ii), no project shall be carried out in the
24 Wildlife Conservation Area for the purpose
25 of harvesting commercial timber.

1 (ii) LIMITATION.—Nothing in clause
2 (i) prevents the Secretary from harvesting
3 or selling a merchantable product that is a
4 byproduct of an activity authorized in the
5 Wildlife Conservation Area under this sec-
6 tion.

7 (d) FIRE, INSECTS, AND DISEASES.—The Secretary
8 may carry out any activity, in accordance with applicable
9 laws (including regulations), that the Secretary deter-
10 mines to be necessary to manage wildland fire and treat
11 hazardous fuels, insects, and diseases in the Wildlife Con-
12 servation Area, subject to such terms and conditions as
13 the Secretary determines to be appropriate.

14 (e) WATER.—Section 3(e) of the James Peak Wilder-
15 ness and Protection Area Act (Public Law 107–216; 116
16 Stat. 1058) shall apply to the Wildlife Conservation Area.

17 **SEC. 5107. SANDY TREAT OVERLOOK.**

18 The interpretive site located beside United States
19 Route 24 within the Camp Hale-Continental Divide Na-
20 tional Monument, at 39.431N 106.323W, is designated as
21 the “Sandy Treat Overlook”.

22 **SEC. 5108. WHITE RIVER NATIONAL FOREST BOUNDARY**
23 **MODIFICATION.**

24 (a) IN GENERAL.—The boundary of the White River
25 National Forest is modified to include the approximately

1 120 acres comprised of the SW¹/₄, the SE¹/₄, and the
2 NE¹/₄ of the SE¹/₄ of sec. 1, T. 2 S., R. 80 W., 6th Prin-
3 cipal Meridian, in Summit County in the State.

4 (b) LAND AND WATER CONSERVATION FUND.—For
5 purposes of section 200306 of title 54, United States
6 Code, the boundaries of the White River National Forest,
7 as modified by subsection (a), shall be considered to be
8 the boundaries of the White River National Forest as in
9 existence on January 1, 1965.

10 **SEC. 5109. ROCKY MOUNTAIN NATIONAL PARK POTENTIAL**
11 **WILDERNESS BOUNDARY ADJUSTMENT.**

12 (a) PURPOSE.—The purpose of this section is to pro-
13 vide for the ongoing maintenance and use of portions of
14 the Trail River Ranch and the associated property located
15 within Rocky Mountain National Park in Grand County
16 in the State.

17 (b) BOUNDARY ADJUSTMENT.—Section 1952(b) of
18 the Omnibus Public Land Management Act of 2009 (Pub-
19 lic Law 111–11; 123 Stat. 1070) is amended by adding
20 at the end the following:

21 “(3) BOUNDARY ADJUSTMENT.—The boundary
22 of the Potential Wilderness is modified to exclude
23 the area comprising approximately 15.5 acres of
24 land identified as ‘Potential Wilderness to Non-wil-
25 derness’ on the map entitled ‘Rocky Mountain Na-

1 tional Park Proposed Wilderness Area Amendment’
2 and dated January 16, 2018.”.

3 **SEC. 5110. ADMINISTRATIVE PROVISIONS.**

4 (a) FISH AND WILDLIFE.—Nothing in this title af-
5 fects the jurisdiction or responsibility of the State with
6 respect to fish and wildlife in the State.

7 (b) NO BUFFER ZONES.—

8 (1) IN GENERAL.—Nothing in this title or an
9 amendment made by this title establishes a protec-
10 tive perimeter or buffer zone around—

11 (A) a covered area;

12 (B) a wilderness area or potential wilder-
13 ness area designated by section 5103; or

14 (C) a Wildlife Conservation Area.

15 (2) OUTSIDE ACTIVITIES.—The fact that a non-
16 wilderness activity or use on land outside of an area
17 described in paragraph (1) can be seen or heard
18 from within the applicable area described in para-
19 graph (1) shall not preclude the activity or use out-
20 side the boundary of the applicable area described in
21 paragraph (1).

22 (c) TRIBAL RIGHTS AND USES.—

23 (1) TREATY RIGHTS.—Nothing in this title af-
24 fects the treaty rights of an Indian Tribe.

1 (2) TRADITIONAL TRIBAL USES.—Subject to
2 any terms and conditions that the Secretary deter-
3 mines to be necessary and in accordance with appli-
4 cable law, the Secretary shall allow for the continued
5 use of the areas described in subsection (b)(1) by
6 members of Indian Tribes—

7 (A) for traditional ceremonies; and

8 (B) as a source of traditional plants and
9 other materials.

10 (d) MAPS AND LEGAL DESCRIPTIONS.—

11 (1) IN GENERAL.—As soon as practicable after
12 the date of enactment of this Act, the Secretary
13 shall prepare maps and legal descriptions of each
14 area described in subsection (b)(1) with—

15 (A) the Committee on Natural Resources
16 of the House of Representatives; and

17 (B) the Committee on Energy and Natural
18 Resources of the Senate.

19 (2) FORCE OF LAW.—Each map and legal de-
20 scription prepared under paragraph (1) shall have
21 the same force and effect as if included in this title,
22 except that the Secretary may—

23 (A) correct any typographical errors in the
24 maps and legal descriptions; and

1 (B) in consultation with the State, make
2 minor adjustments to the boundaries of the
3 Porcupine Gulch Wildlife Conservation Area
4 designated by section 5104(a) and the Williams
5 Fork Mountains Wildlife Conservation Area
6 designated by section 5105(a) to account for
7 potential highway or multimodal transportation
8 system construction, safety measures, mainte-
9 nance, realignment, or widening.

10 (3) PUBLIC AVAILABILITY.—Each map and
11 legal description prepared under paragraph (1) shall
12 be on file and available for public inspection in the
13 appropriate offices of the Forest Service.

14 (e) ACQUISITION OF LAND.—

15 (1) IN GENERAL.—The Secretary may acquire
16 any land or interest in land within the boundaries of
17 an area described in subsection (b)(1) by donation,
18 purchase from a willing seller, or exchange.

19 (2) MANAGEMENT.—Any land or interest in
20 land acquired under paragraph (1) shall be incor-
21 porated into, and administered as a part of, the wil-
22 derness area or Wildlife Conservation Area, as appli-
23 cable, in which the land or interest in land is lo-
24 cated.

1 (f) WITHDRAWAL.—Subject to valid existing rights,
2 the areas described in subsection (b)(1) are withdrawn
3 from—

4 (1) entry, appropriation, and disposal under the
5 public land laws;

6 (2) location, entry, and patent under mining
7 laws; and

8 (3) operation of the mineral leasing, mineral
9 materials, and geothermal leasing laws.

10 (g) MILITARY OVERFLIGHTS.—Nothing in this title
11 or an amendment made by this title restricts or pre-
12 cludes—

13 (1) any low-level overflight of military aircraft
14 over any area subject to this title or an amendment
15 made by this title, including military overflights that
16 can be seen, heard, or detected within such an area;

17 (2) flight testing or evaluation over an area de-
18 scribed in paragraph (1); or

19 (3) the use or establishment of—

20 (A) any new unit of special use airspace
21 over an area described in paragraph (1); or

22 (B) any military flight training or trans-
23 portation over such an area.

24 (h) SENSE OF CONGRESS.—It is the sense of Con-
25 gress that military aviation training on Federal public

1 land in the State, including the training conducted at the
2 High-Altitude Army National Guard Aviation Training
3 Site, is critical to the national security of the United
4 States and the readiness of the Armed Forces.

5 **TITLE II—SAN JUAN MOUNTAINS**

6 **SEC. 5201. DEFINITIONS.**

7 In this title:

8 (1) COVERED LAND.—The term “covered land”
9 means—

10 (A) land designated as wilderness under
11 paragraphs (27) through (29) of section 2(a) of
12 the Colorado Wilderness Act of 1993 (16
13 U.S.C. 1132 note; Public Law 103–77) (as
14 added by section 5202); and

15 (B) a Special Management Area.

16 (2) SECRETARY.—The term “Secretary” means
17 the Secretary of Agriculture.

18 (3) SPECIAL MANAGEMENT AREA.—The term
19 “Special Management Area” means each of—

20 (A) the Sheep Mountain Special Manage-
21 ment Area designated by section 5203(a)(1);
22 and

23 (B) the Liberty Bell East Special Manage-
24 ment Area designated by section 5203(a)(2).

1 **SEC. 5202. ADDITIONS TO NATIONAL WILDERNESS PRESER-**
2 **VATION SYSTEM.**

3 Section 2(a) of the Colorado Wilderness Act of 1993
4 (16 U.S.C. 1132 note; Public Law 103–77) (as amended
5 by section 5102(a)(2)) is amended by adding at the end
6 the following:

7 “(27) LIZARD HEAD WILDERNESS ADDITION.—
8 Certain Federal land in the Grand Mesa,
9 Uncompahgre, and Gunnison National Forests com-
10 prising approximately 3,141 acres, as generally de-
11 picted on the map entitled ‘Proposed Wilson, Sun-
12 shine, Black Face and San Bernardo Additions to
13 the Lizard Head Wilderness’ and dated September
14 6, 2018, which is incorporated in, and shall be ad-
15 ministered as part of, the Lizard Head Wilderness.

16 “(28) MOUNT SNEFFELS WILDERNESS ADDI-
17 TIONS.—

18 “(A) LIBERTY BELL AND LAST DOLLAR
19 ADDITIONS.—Certain Federal land in the
20 Grand Mesa, Uncompahgre, and Gunnison Na-
21 tional Forests comprising approximately 7,235
22 acres, as generally depicted on the map entitled
23 ‘Proposed Liberty Bell and Last Dollar Addi-
24 tions to the Mt. Sneffels Wilderness, Liberty
25 Bell East Special Management Area’ and dated
26 September 6, 2018, which is incorporated in,

1 and shall be administered as part of, the Mount
2 Sneffels Wilderness.

3 “(B) WHITEHOUSE ADDITIONS.—Certain
4 Federal land in the Grand Mesa, Uncompahgre,
5 and Gunnison National Forests comprising ap-
6 proximately 12,465 acres, as generally depicted
7 on the map entitled ‘Proposed Whitehouse Ad-
8 ditions to the Mt. Sneffels Wilderness’ and
9 dated September 6, 2018, which is incorporated
10 in, and shall be administered as part of, the
11 Mount Sneffels Wilderness.

12 “(29) MCKENNA PEAK WILDERNESS.—Certain
13 Federal land in the State of Colorado comprising ap-
14 proximately 8,884 acres of Bureau of Land Manage-
15 ment land, as generally depicted on the map entitled
16 ‘Proposed McKenna Peak Wilderness Area’ and
17 dated September 18, 2018, to be known as the
18 ‘McKenna Peak Wilderness’.”

19 **SEC. 5203. SPECIAL MANAGEMENT AREAS.**

20 (a) DESIGNATION.—

21 (1) SHEEP MOUNTAIN SPECIAL MANAGEMENT
22 AREA.—The Federal land in the Grand Mesa,
23 Uncompahgre, and Gunnison and San Juan Na-
24 tional Forests in the State comprising approximately
25 21,663 acres, as generally depicted on the map enti-

1 tled “Proposed Sheep Mountain Special Manage-
2 ment Area” and dated September 19, 2018, is des-
3 ignated as the “Sheep Mountain Special Manage-
4 ment Area”.

5 (2) LIBERTY BELL EAST SPECIAL MANAGE-
6 MENT AREA.—The Federal land in the Grand Mesa,
7 Uncompahgre, and Gunnison National Forests in
8 the State comprising approximately 792 acres, as
9 generally depicted on the map entitled “Proposed
10 Liberty Bell and Last Dollar Additions to the Mt.
11 Sneffels Wilderness, Liberty Bell East Special Man-
12 agement Area” and dated September 6, 2018, is
13 designated as the “Liberty Bell East Special Man-
14 agement Area”.

15 (b) PURPOSE.—The purpose of the Special Manage-
16 ment Areas is to conserve and protect for the benefit and
17 enjoyment of present and future generations the geologi-
18 cal, cultural, archaeological, paleontological, natural, sci-
19 entific, recreational, wilderness, wildlife, riparian, histor-
20 ical, educational, and scenic resources of the Special Man-
21 agement Areas.

22 (c) MANAGEMENT.—

23 (1) IN GENERAL.—The Secretary shall manage
24 the Special Management Areas in a manner that—

1 (A) conserves, protects, and enhances the
2 resources and values of the Special Manage-
3 ment Areas described in subsection (b);

4 (B) subject to paragraph (3), maintains or
5 improves the wilderness character of the Special
6 Management Areas and the suitability of the
7 Special Management Areas for potential inclu-
8 sion in the National Wilderness Preservation
9 System; and

10 (C) is in accordance with—

11 (i) the National Forest Management
12 Act of 1976 (16 U.S.C. 1600 et seq.);

13 (ii) this title; and

14 (iii) any other applicable laws.

15 (2) PROHIBITIONS.—The following shall be pro-
16 hibited in the Special Management Areas:

17 (A) Permanent roads.

18 (B) Except as necessary to meet the min-
19 imum requirements for the administration of
20 the Federal land, to provide access for aban-
21 doned mine cleanup, and to protect public
22 health and safety—

23 (i) the use of motor vehicles, motor-
24 ized equipment, or mechanical transport

1 (other than as provided in paragraph (3));
2 and
3 (ii) the establishment of temporary
4 roads.

5 (3) AUTHORIZED ACTIVITIES.—

6 (A) IN GENERAL.—The Secretary may
7 allow any activities (including helicopter access
8 for recreation and maintenance and the com-
9 petitive running event permitted since 1992)
10 that have been authorized by permit or license
11 as of the date of enactment of this Act to con-
12 tinue within the Special Management Areas,
13 subject to such terms and conditions as the
14 Secretary may require.

15 (B) PERMITTING.—The designation of the
16 Special Management Areas by subsection (a)
17 shall not affect the issuance of permits relating
18 to the activities covered under subparagraph
19 (A) after the date of enactment of this Act.

20 (C) BICYCLES.—The Secretary may permit
21 the use of bicycles in—

22 (i) the portion of the Sheep Mountain
23 Special Management Area identified as
24 “Ophir Valley Area” on the map entitled
25 “Proposed Sheep Mountain Special Man-

1 agement Area” and dated September 19,
2 2018; and

3 (ii) the portion of the Liberty Bell
4 East Special Management Area identified
5 as “Liberty Bell Corridor” on the map en-
6 titled “Proposed Liberty Bell and Last
7 Dollar Additions to the Mt. Sneffels Wil-
8 derness, Liberty Bell East Special Manage-
9 ment Area” and dated September 6, 2018.

10 (d) APPLICABLE LAW.—Water and water rights in
11 the Special Management Areas shall be administered in
12 accordance with section 8 of the Colorado Wilderness Act
13 of 1993 (Public Law 103–77; 107 Stat. 762), except that,
14 for purposes of this title—

15 (1) any reference contained in that section to
16 “the lands designated as wilderness by this Act”,
17 “the Piedra, Roubideau, and Tabeguache areas iden-
18 tified in section 9 of this Act, or the Bowen Gulch
19 Protection Area or the Fossil Ridge Recreation Man-
20 agement Area identified in sections 5 and 6 of this
21 Act”, or “the areas described in sections 2, 5, 6, and
22 9 of this Act” shall be considered to be a reference
23 to “the Special Management Areas”; and

24 (2) any reference contained in that section to
25 “this Act” shall be considered to be a reference to

1 “the Colorado Outdoor Recreation and Economy
2 Act”.

3 (e) SHEEP MOUNTAIN SPECIAL MANAGEMENT AREA
4 NORDIC SKI SAFETY STUDY.—

5 (1) IN GENERAL.—Not later than 2 years after
6 the date of enactment of this Act, the Secretary, in
7 consultation with interested parties, shall complete a
8 study on ensuring safe access for Nordic skiing in
9 the vicinity of the Sheep Mountain Special Manage-
10 ment Area, consistent with the purposes of the
11 Sheep Mountain Special Management Area.

12 (2) REQUIREMENT.—In conducting the study
13 under paragraph (1), the Secretary, in coordination
14 with San Miguel County in the State, the State De-
15 partment of Transportation, and other interested
16 stakeholders, shall identify a range of reasonable ac-
17 tions that could be taken by the Secretary to provide
18 or facilitate off-highway parking areas along State
19 Highway 145 to facilitate safe access for Nordic ski-
20 ing in the vicinity of the Sheep Mountain Special
21 Management Area.

22 **SEC. 5204. RELEASE OF WILDERNESS STUDY AREAS.**

23 (a) DOMINGUEZ CANYON WILDERNESS STUDY
24 AREA.—Subtitle E of title II of Public Law 111–11 is
25 amended—

1 (1) by redesignating section 2408 (16 U.S.C.
2 460zzz-7) as section 2409; and

3 (2) by inserting after section 2407 (16 U.S.C.
4 460zzz-6) the following:

5 **“SEC. 2408. RELEASE.**

6 “(a) IN GENERAL.—Congress finds that, for the pur-
7 poses of section 603(c) of the Federal Land Policy and
8 Management Act of 1976 (43 U.S.C. 1782(c)), the por-
9 tions of the Dominguez Canyon Wilderness Study Area
10 not designated as wilderness by this subtitle have been
11 adequately studied for wilderness designation.

12 “(b) RELEASE.—Any public land referred to in sub-
13 section (a) that is not designated as wilderness by this
14 subtitle—

15 “(1) is no longer subject to section 603(c) of
16 the Federal Land Policy and Management Act of
17 1976 (43 U.S.C. 1782(c)); and

18 “(2) shall be managed in accordance with this
19 subtitle and any other applicable laws.”.

20 (b) MCKENNA PEAK WILDERNESS STUDY AREA.—

21 (1) IN GENERAL.—Congress finds that, for the
22 purposes of section 603(c) of the Federal Land Pol-
23 icy and Management Act of 1976 (43 U.S.C.
24 1782(c)), the portions of the McKenna Peak Wilder-
25 ness Study Area in San Miguel County in the State

1 not designated as wilderness by paragraph (29) of
2 section 2(a) of the Colorado Wilderness Act of 1993
3 (16 U.S.C. 1132 note; Public Law 103–77) (as
4 added by section 5202) have been adequately studied
5 for wilderness designation.

6 (2) RELEASE.—Any public land referred to in
7 paragraph (1) that is not designated as wilderness
8 by paragraph (29) of section 2(a) of the Colorado
9 Wilderness Act of 1993 (16 U.S.C. 1132 note; Pub-
10 lic Law 103–77) (as added by section 5202)—

11 (A) is no longer subject to section 603(c)
12 of the Federal Land Policy and Management
13 Act of 1976 (43 U.S.C. 1782(c)); and

14 (B) shall be managed in accordance with
15 applicable laws.

16 **SEC. 5205. ADMINISTRATIVE PROVISIONS.**

17 (a) FISH AND WILDLIFE.—Nothing in this title af-
18 fects the jurisdiction or responsibility of the State with
19 respect to fish and wildlife in the State.

20 (b) NO BUFFER ZONES.—

21 (1) IN GENERAL.—Nothing in this title estab-
22 lishes a protective perimeter or buffer zone around
23 covered land.

24 (2) ACTIVITIES OUTSIDE WILDERNESS.—The
25 fact that a nonwilderness activity or use on land out-

1 side of the covered land can be seen or heard from
2 within covered land shall not preclude the activity or
3 use outside the boundary of the covered land.

4 (c) TRIBAL RIGHTS AND USES.—

5 (1) TREATY RIGHTS.—Nothing in this title af-
6 fects the treaty rights of any Indian Tribe, including
7 rights under the Agreement of September 13, 1873,
8 ratified by the Act of April 29, 1874 (18 Stat. 36,
9 chapter 136).

10 (2) TRADITIONAL TRIBAL USES.—Subject to
11 any terms and conditions as the Secretary deter-
12 mines to be necessary and in accordance with appli-
13 cable law, the Secretary shall allow for the continued
14 use of the covered land by members of Indian
15 Tribes—

16 (A) for traditional ceremonies; and

17 (B) as a source of traditional plants and
18 other materials.

19 (d) MAPS AND LEGAL DESCRIPTIONS.—

20 (1) IN GENERAL.—As soon as practicable after
21 the date of enactment of this Act, the Secretary or
22 the Secretary of the Interior, as appropriate, shall
23 file a map and a legal description of each wilderness
24 area designated by paragraphs (27) through (29) of
25 section 2(a) of the Colorado Wilderness Act of 1993

1 (16 U.S.C. 1132 note; Public Law 103–77) (as
2 added by section 5202) and the Special Management
3 Areas with—

4 (A) the Committee on Natural Resources
5 of the House of Representatives; and

6 (B) the Committee on Energy and Natural
7 Resources of the Senate.

8 (2) FORCE OF LAW.—Each map and legal de-
9 scription filed under paragraph (1) shall have the
10 same force and effect as if included in this title, ex-
11 cept that the Secretary or the Secretary of the Inte-
12 rior, as appropriate, may correct any typographical
13 errors in the maps and legal descriptions.

14 (3) PUBLIC AVAILABILITY.—Each map and
15 legal description filed under paragraph (1) shall be
16 on file and available for public inspection in the ap-
17 propriate offices of the Bureau of Land Management
18 and the Forest Service.

19 (e) ACQUISITION OF LAND.—

20 (1) IN GENERAL.—The Secretary or the Sec-
21 retary of the Interior, as appropriate, may acquire
22 any land or interest in land within the boundaries of
23 a Special Management Area or the wilderness des-
24 ignated under paragraphs (27) through (29) of sec-
25 tion 2(a) of the Colorado Wilderness Act of 1993

1 (16 U.S.C. 1132 note; Public Law 103–77) (as
2 added by section 5202) by donation, purchase from
3 a willing seller, or exchange.

4 (2) MANAGEMENT.—Any land or interest in
5 land acquired under paragraph (1) shall be incor-
6 porated into, and administered as a part of, the wil-
7 derness or Special Management Area in which the
8 land or interest in land is located.

9 (f) GRAZING.—The grazing of livestock on covered
10 land, if established before the date of enactment of this
11 Act, shall be permitted to continue subject to such reason-
12 able regulations as are considered to be necessary by the
13 Secretary with jurisdiction over the covered land, in ac-
14 cordance with—

15 (1) section 4(d)(4) of the Wilderness Act (16
16 U.S.C. 1133(d)(4)); and

17 (2) the applicable guidelines set forth in Appen-
18 dix A of the report of the Committee on Interior and
19 Insular Affairs of the House of Representatives ac-
20 companying H.R. 2570 of the 101st Congress (H.
21 Rept. 101–405) or H.R. 5487 of the 96th Congress
22 (H. Rept. 96–617).

23 (g) FIRE, INSECTS, AND DISEASES.—In accordance
24 with section 4(d)(1) of the Wilderness Act (16 U.S.C.
25 1133(d)(1)), the Secretary with jurisdiction over a wilder-

1 ness area designated by paragraphs (27) through (29) of
2 section 2(a) of the Colorado Wilderness Act of 1993 (16
3 U.S.C. 1132 note; Public Law 103–77) (as added by sec-
4 tion 5202) may carry out any activity in the wilderness
5 area that the Secretary determines to be necessary for the
6 control of fire, insects, and diseases, subject to such terms
7 and conditions as the Secretary determines to be appro-
8 priate.

9 (h) WITHDRAWAL.—Subject to valid existing rights,
10 the covered land and the approximately 6,590 acres gen-
11 erally depicted on the map entitled “Proposed Naturita
12 Canyon Mineral Withdrawal Area” and dated September
13 6, 2018, is withdrawn from—

14 (1) entry, appropriation, and disposal under the
15 public land laws;

16 (2) location, entry, and patent under mining
17 laws; and

18 (3) operation of the mineral leasing, mineral
19 materials, and geothermal leasing laws.

20 **TITLE III—THOMPSON DIVIDE**

21 **SEC. 5301. PURPOSES.**

22 The purposes of this title are—

23 (1) subject to valid existing rights, to withdraw
24 certain Federal land in the Thompson Divide area
25 from mineral and other disposal laws in order to

1 protect the agricultural, ranching, wildlife, air qual-
2 ity, recreation, ecological, and scenic values of the
3 area; and

4 (2) to promote the capture of fugitive methane
5 emissions that would otherwise be emitted into the
6 atmosphere.

7 **SEC. 5302. DEFINITIONS.**

8 In this title:

9 (1) FUGITIVE METHANE EMISSIONS.—The term
10 “fugitive methane emissions” means methane gas
11 from the Federal land or interests in Federal land
12 in Garfield, Gunnison, Delta, or Pitkin County in
13 the State, within the boundaries of the “Fugitive
14 Coal Mine Methane Use Pilot Program Area”, as
15 generally depicted on the pilot program map, that
16 would leak or be vented into the atmosphere from—

17 (A) an active or inactive coal mine subject
18 to a Federal coal lease; or

19 (B) an abandoned underground coal mine
20 or the site of a former coal mine—

21 (i) that is not subject to a Federal
22 coal lease; and

23 (ii) with respect to which the Federal
24 interest in land includes mineral rights to
25 the methane gas.

1 (2) PILOT PROGRAM.—The term “pilot pro-
2 gram” means the Greater Thompson Divide Fugitive
3 Coal Mine Methane Use Pilot Program established
4 by section 5305(a)(1).

5 (3) PILOT PROGRAM MAP.—The term “pilot
6 program map” means the map entitled “Greater
7 Thompson Divide Fugitive Coal Mine Methane Use
8 Pilot Program Area” and dated April 29, 2022.

9 (4) SECRETARY.—The term “Secretary” means
10 the Secretary of the Interior.

11 (5) THOMPSON DIVIDE LEASE.—

12 (A) IN GENERAL.—The term “Thompson
13 Divide lease” means any oil or gas lease in ef-
14 fect on the date of enactment of this Act within
15 the Thompson Divide Withdrawal and Protec-
16 tion Area.

17 (B) EXCLUSIONS.—The term “Thompson
18 Divide lease” does not include any oil or gas
19 lease that—

20 (i) is associated with a Wolf Creek
21 Storage Field development right; or

22 (ii) before the date of enactment of
23 this Act, has expired, been cancelled, or
24 otherwise terminated.

1 (6) THOMPSON DIVIDE MAP.—The term
2 “Thompson Divide map” means the map entitled
3 “Greater Thompson Divide Area Map” and dated
4 May 15, 2023.

5 (7) THOMPSON DIVIDE WITHDRAWAL AND PRO-
6 TECTION AREA.—The term “Thompson Divide With-
7 drawal and Protection Area” means the Federal
8 land and minerals within the area generally depicted
9 as the “Thompson Divide Withdrawal and Protec-
10 tion Area” on the Thompson Divide map.

11 (8) WOLF CREEK STORAGE FIELD DEVELOP-
12 MENT RIGHT.—

13 (A) IN GENERAL.—The term “Wolf Creek
14 Storage Field development right” means a de-
15 velopment right for any of the Federal mineral
16 leases numbered COC 0007496, COC 0007497,
17 COC 0007498, COC 0007499, COC 0007500,
18 COC 0007538, COC 0008128, COC 0015373,
19 COC 0128018, COC 0051645, and COC
20 0051646, as generally depicted on the Thomp-
21 son Divide map as “Wolf Creek Storage Agree-
22 ment”.

23 (B) EXCLUSIONS.—The term “Wolf Creek
24 Storage Field development right” does not in-

1 clude any storage right or related activity with-
2 in the area described in subparagraph (A).

3 **SEC. 5303. THOMPSON DIVIDE WITHDRAWAL AND PROTEC-**
4 **TION AREA.**

5 (a) WITHDRAWAL.—Subject to valid existing rights,
6 the Thompson Divide Withdrawal and Protection Area is
7 withdrawn from—

8 (1) entry, appropriation, and disposal under the
9 public land laws;

10 (2) location, entry, and patent under the mining
11 laws; and

12 (3) operation of the mineral leasing, mineral
13 materials, and geothermal leasing laws.

14 (b) SURVEYS.—The exact acreage and legal descrip-
15 tion of the Thompson Divide Withdrawal and Protection
16 Area shall be determined by surveys approved by the Sec-
17 retary, in consultation with the Secretary of Agriculture.

18 (c) GRAZING.—Nothing in this title affects the ad-
19 ministration of grazing in the Thompson Divide With-
20 drawal and Protection Area.

21 **SEC. 5304. THOMPSON DIVIDE LEASE CREDITS.**

22 (a) IN GENERAL.—In exchange for the relinquis-
23 hment by a leaseholder of all Thompson Divide leases of
24 the leaseholder, the Secretary may issue to the leaseholder
25 credits for any bid, royalty, or rental payment due under

1 any Federal oil or gas lease on Federal land in the State,
2 in accordance with subsection (b).

3 (b) AMOUNT OF CREDITS.—

4 (1) IN GENERAL.—Subject to paragraph (2),
5 the amount of the credits issued to a leaseholder of
6 a Thompson Divide lease relinquished under sub-
7 section (a) shall—

8 (A) be equal to the sum of—

9 (i) the amount of the bonus bids paid
10 for the applicable Thompson Divide leases;

11 (ii) the amount of any rental paid for
12 the applicable Thompson Divide leases as
13 of the date on which the leaseholder sub-
14 mits to the Secretary a notice of the deci-
15 sion to relinquish the applicable Thompson
16 Divide leases; and

17 (iii) the amount of any reasonable ex-
18 penses incurred by the leaseholder of the
19 applicable Thompson Divide leases in the
20 preparation of any drilling permit, sundry
21 notice, or other related submission in sup-
22 port of the development of the applicable
23 Thompson Divide leases as of January 28,
24 2019, including any expenses relating to
25 the preparation of any analysis under the

1 National Environmental Policy Act of
2 1969 (42 U.S.C. 4321 et seq.); and

3 (B) require the approval of the Secretary.

4 (2) EXCLUSION.—The amount of a credit
5 issued under subsection (a) shall not include any ex-
6 penses paid by the leaseholder of a Thompson Divide
7 lease for—

8 (A) legal fees or related expenses for legal
9 work with respect to a Thompson Divide lease;

10 or

11 (B) any expenses incurred before the
12 issuance of a Thompson Divide lease.

13 (c) CANCELLATION.—Effective on relinquishment
14 under this section, and without any additional action by
15 the Secretary, a Thompson Divide lease—

16 (1) shall be permanently cancelled; and

17 (2) shall not be reissued.

18 (d) CONDITIONS.—

19 (1) APPLICABLE LAW.—Except as otherwise
20 provided in this section, each exchange under this
21 section shall be conducted in accordance with—

22 (A) this title; and

23 (B) other applicable laws (including regu-
24 lations).

1 (2) ACCEPTANCE OF CREDITS.—The Secretary
2 shall accept credits issued under subsection (a) in
3 the same manner as cash for the payments described
4 in that subsection.

5 (3) APPLICABILITY.—The use of a credit issued
6 under subsection (a) shall be subject to the laws (in-
7 cluding regulations) applicable to the payments de-
8 scribed in that subsection, to the extent that the
9 laws are consistent with this section.

10 (4) TREATMENT OF CREDITS.—All amounts in
11 the form of credits issued under subsection (a) ac-
12 cepted by the Secretary shall be considered to be
13 amounts received for the purposes of—

14 (A) section 35 of the Mineral Leasing Act
15 (30 U.S.C. 191); and

16 (B) section 20 of the Geothermal Steam
17 Act of 1970 (30 U.S.C. 1019).

18 (e) WOLF CREEK STORAGE FIELD DEVELOPMENT
19 RIGHTS.—

20 (1) CONVEYANCE TO SECRETARY.—As a condi-
21 tion precedent to the relinquishment of a Thompson
22 Divide lease under this section, any leaseholder with
23 a Wolf Creek Storage Field development right shall
24 permanently relinquish, transfer, and otherwise con-
25 vey to the Secretary, in a form acceptable to the

1 Secretary, all Wolf Creek Storage Field development
2 rights of the leaseholder.

3 (2) CREDITS.—

4 (A) IN GENERAL.—In consideration for the
5 transfer of development rights under paragraph
6 (1), the Secretary may issue to a leaseholder
7 described in that paragraph credits for any rea-
8 sonable expenses incurred by the leaseholder in
9 acquiring the Wolf Creek Storage Field develop-
10 ment right or in the preparation of any drilling
11 permit, sundry notice, or other related submis-
12 sion in support of the development right as of
13 January 28, 2019, including any reasonable ex-
14 penses relating to the preparation of any anal-
15 ysis under the National Environmental Policy
16 Act of 1969 (42 U.S.C. 4321 et seq.).

17 (B) APPROVAL.—Any credits for a transfer
18 of the development rights under paragraph (1),
19 shall be subject to—

20 (i) the exclusion described in sub-
21 section (b)(2);

22 (ii) the conditions described in sub-
23 section (d); and

24 (iii) the approval of the Secretary.

1 (3) LIMITATION OF TRANSFER.—Development
2 rights acquired by the Secretary under paragraph
3 (1)—

4 (A) shall be held for as long as the parent
5 leases in the Wolf Creek Storage Field remain
6 in effect; and

7 (B) shall not be—

8 (i) transferred;

9 (ii) reissued; or

10 (iii) otherwise used for mineral extrac-
11 tion.

12 **SEC. 5305. GREATER THOMPSON DIVIDE FUGITIVE COAL**
13 **MINE METHANE USE PILOT PROGRAM.**

14 (a) FUGITIVE COAL MINE METHANE USE PILOT
15 PROGRAM.—

16 (1) ESTABLISHMENT.—There is established in
17 the Bureau of Land Management a pilot program,
18 to be known as the “Greater Thompson Divide Fu-
19 gitive Coal Mine Methane Use Pilot Program”.

20 (2) PURPOSE.—The purpose of the pilot pro-
21 gram is to promote the capture, beneficial use, miti-
22 gation, and sequestration of fugitive methane emis-
23 sions—

24 (A) to reduce methane emissions;

25 (B) to promote economic development;

1 (C) to improve air quality; and

2 (D) to improve public safety.

3 (3) PLAN.—

4 (A) IN GENERAL.—Not later than 180
5 days after the date of enactment of this Act,
6 the Secretary shall develop a plan—

7 (i) to complete an inventory of fugitive
8 methane emissions in accordance with sub-
9 section (b);

10 (ii) to provide for the leasing of fugi-
11 tive methane emissions in accordance with
12 subsection (c); and

13 (iii) to provide for the capping or de-
14 struction of fugitive methane emissions in
15 accordance with subsection (d).

16 (B) COORDINATION.—In developing the
17 plan under this paragraph, the Secretary shall
18 coordinate with—

19 (i) the State;

20 (ii) Garfield, Gunnison, Delta, and
21 Pitkin Counties in the State;

22 (iii) lessees of Federal coal within the
23 counties referred to in clause (ii);

24 (iv) interested institutions of higher
25 education in the State; and

1 (v) interested members of the public.

2 (b) FUGITIVE METHANE EMISSIONS INVENTORY.—

3 (1) IN GENERAL.—Not later than 2 years after
4 the date of enactment of this Act, the Secretary
5 shall complete an inventory of fugitive methane
6 emissions.

7 (2) CONDUCT.—

8 (A) COLLABORATION.—The Secretary may
9 conduct the inventory under paragraph (1)
10 through, or in collaboration with—

11 (i) the Bureau of Land Management;

12 (ii) the United States Geological Sur-
13 vey;

14 (iii) the Environmental Protection
15 Agency;

16 (iv) the United States Forest Service;

17 (v) State departments or agencies;

18 (vi) Garfield, Gunnison, Delta, or
19 Pitkin County in the State;

20 (vii) the Garfield County Federal Min-
21 eral Lease District;

22 (viii) institutions of higher education
23 in the State;

24 (ix) lessees of Federal coal within a
25 county referred to in subparagraph (F);

1 (x) the National Oceanic and Atmos-
2 pheric Administration;

3 (xi) the National Center for Atmos-
4 pheric Research; or

5 (xii) other interested entities, includ-
6 ing members of the public.

7 (B) FEDERAL SPLIT ESTATE.—

8 (i) IN GENERAL.—In conducting the
9 inventory under paragraph (1) for Federal
10 minerals on split estate land, the Secretary
11 shall rely on available data.

12 (ii) LIMITATION.—Nothing in this sec-
13 tion requires or authorizes the Secretary to
14 enter or access private land to conduct the
15 inventory under paragraph (1).

16 (3) CONTENTS.—The inventory conducted
17 under paragraph (1) shall include—

18 (A) the general location and geographic co-
19 ordinates of vents, seeps, or other sources pro-
20 ducing significant fugitive methane emissions;

21 (B) an estimate of the volume and con-
22 centration of fugitive methane emissions from
23 each source of significant fugitive methane
24 emissions, including details of measurements
25 taken and the basis for that emissions estimate;

1 (C) relevant data and other information
2 available from—

3 (i) the Environmental Protection
4 Agency;

5 (ii) the Mine Safety and Health Ad-
6 ministration;

7 (iii) the Colorado Department of Nat-
8 ural Resources;

9 (iv) the Colorado Public Utility Com-
10 mission;

11 (v) the Colorado Department of
12 Health and Environment; and

13 (vi) the Office of Surface Mining Rec-
14 lamation and Enforcement; and

15 (D) such other information as may be use-
16 ful in advancing the purposes of the pilot pro-
17 gram.

18 (4) PUBLIC PARTICIPATION; DISCLOSURE.—

19 (A) PUBLIC PARTICIPATION.—The Sec-
20 retary shall, as appropriate, provide opportuni-
21 ties for public participation in the conduct of
22 the inventory under paragraph (1).

23 (B) AVAILABILITY.—The Secretary shall
24 make the inventory conducted under paragraph
25 (1) publicly available.

1 (C) DISCLOSURE.—Nothing in this sub-
2 section requires the Secretary to publicly re-
3 lease information that—

4 (i) poses a threat to public safety;

5 (ii) is confidential business informa-
6 tion; or

7 (iii) is otherwise protected from public
8 disclosure.

9 (5) IMPACT ON COAL MINES SUBJECT TO
10 LEASE.—

11 (A) IN GENERAL.—For the purposes of
12 conducting the inventory under paragraph (1),
13 for land subject to a Federal coal lease, the
14 Secretary shall use readily available methane
15 emissions data.

16 (B) EFFECT.—Nothing in this section re-
17 quires the holder of a Federal coal lease to re-
18 port additional data or information to the Sec-
19 retary.

20 (6) USE.—The Secretary shall use the inven-
21 tory conducted under paragraph (1) in carrying
22 out—

23 (A) the leasing program under subsection
24 (c); and

1 (B) the capping or destruction of fugitive
2 methane emissions under subsection (d).

3 (c) FUGITIVE METHANE EMISSIONS LEASING PRO-
4 GRAM AND SEQUESTRATION.—

5 (1) IN GENERAL.—Subject to valid existing
6 rights and in accordance with this section, not later
7 than 1 year after the date of completion of the in-
8 ventory required under subsection (b), the Secretary
9 shall carry out a program to encourage the use and
10 destruction of fugitive methane emissions.

11 (2) FUGITIVE METHANE EMISSIONS FROM COAL
12 MINES SUBJECT TO LEASE.—

13 (A) IN GENERAL.—The Secretary shall au-
14 thorize the holder of a valid existing Federal
15 coal lease for a mine that is producing fugitive
16 methane emissions to capture for use or destroy
17 the fugitive methane emissions.

18 (B) CONDITIONS.—The authority under
19 subparagraph (A) shall be subject to—

20 (i) valid existing rights; and
21 (ii) such terms and conditions as the
22 Secretary may require.

23 (C) LIMITATIONS.—The program carried
24 out under paragraph (1) shall only include fugi-

1 tive methane emissions that can be captured for
2 use or destroyed in a manner that does not—

3 (i) endanger the safety of any coal
4 mine worker; or

5 (ii) unreasonably interfere with any
6 ongoing operation at a coal mine.

7 (D) COOPERATION.—

8 (i) IN GENERAL.—The Secretary shall
9 work cooperatively with the holders of valid
10 existing Federal coal leases for mines that
11 produce fugitive methane emissions to en-
12 courage—

13 (I) the capture of fugitive meth-
14 ane emissions for beneficial use, such
15 as generating electrical power, pro-
16 ducing usable heat, transporting the
17 methane to market, or transforming
18 the fugitive methane emissions into a
19 different marketable material; or

20 (II) if the beneficial use of the
21 fugitive methane emissions is not fea-
22 sible, the destruction of the fugitive
23 methane emissions.

24 (ii) GUIDANCE.—In support of cooper-
25 ative efforts with holders of valid existing

1 Federal coal leases to capture for use or
2 destroy fugitive methane emissions, not
3 later than 1 year after the date of enact-
4 ment of this Act, the Secretary shall issue
5 guidance to the public for the implementa-
6 tion of authorities and programs to encour-
7 age the capture for use and destruction of
8 fugitive methane emissions, while mini-
9 mizing impacts on natural resources or
10 other public interest values.

11 (E) ROYALTIES.—The Secretary shall de-
12 termine whether any fugitive methane emissions
13 used or destroyed pursuant to this paragraph
14 are subject to the payment of a royalty under
15 applicable law.

16 (3) FUGITIVE METHANE EMISSIONS FROM LAND
17 NOT SUBJECT TO A FEDERAL COAL LEASE.—

18 (A) IN GENERAL.—Except as otherwise
19 provided in this section, notwithstanding section
20 5303 and subject to valid existing rights and
21 any other applicable law, the Secretary shall,
22 for land not subject to a Federal coal lease—

23 (i) authorize the capture for use or
24 destruction of fugitive methane emissions;
25 and

1 (ii) make available for leasing such fu-
2 gitive methane emissions as the Secretary
3 determines to be in the public interest.

4 (B) SOURCE.—To the extent practicable,
5 the Secretary shall offer for lease, individually
6 or in combination, each significant source of fu-
7 gitive methane emissions on land not subject to
8 a Federal coal lease.

9 (C) BID QUALIFICATIONS.—A bid to lease
10 fugitive methane emissions under this para-
11 graph shall specify whether the prospective les-
12 see intends—

13 (i) to capture the fugitive methane
14 emissions for beneficial use, such as gener-
15 ating electrical power, producing usable
16 heat, transporting the methane to market,
17 or transforming the fugitive methane emis-
18 sions into a different marketable material;

19 (ii) to destroy the fugitive methane
20 emissions; or

21 (iii) to employ a specific combination
22 of—

23 (I) capturing the fugitive meth-
24 ane emissions for beneficial use; and

1 (II) destroying the fugitive meth-
2 ane emissions.

3 (D) PRIORITY.—

4 (i) IN GENERAL.—If there is more
5 than 1 qualified bid for a lease under this
6 paragraph, the Secretary shall select the
7 bid that the Secretary determines is likely
8 to most significantly advance the public in-
9 terest.

10 (ii) CONSIDERATIONS.—In deter-
11 mining the public interest under clause (i),
12 the Secretary shall take into consider-
13 ation—

14 (I) the overall decrease in the fu-
15 gitive methane emissions;

16 (II) the impacts to other natural
17 resource values, including wildlife,
18 water, and air; and

19 (III) other public interest values,
20 including scenic, economic, recreation,
21 and cultural values.

22 (E) LEASE FORM.—

23 (i) IN GENERAL.—The Secretary shall
24 develop and provide to prospective bidders

1 a lease form for leases issued under this
2 paragraph.

3 (ii) DUE DILIGENCE.—The lease form
4 developed under clause (i) shall include
5 terms and conditions requiring the leased
6 fugitive methane emissions to be put to
7 beneficial use or destroyed by not later
8 than 3 years after the date of issuance of
9 the lease.

10 (F) ROYALTY RATE.—The Secretary shall
11 develop a minimum bid, as the Secretary deter-
12 mines to be necessary, and royalty rate for
13 leases under this paragraph.

14 (d) SEQUESTRATION.—If, by not later than 4 years
15 after the date of completion of the inventory under sub-
16 section (b), any significant fugitive methane emissions are
17 not leased under subsection (c)(3), the Secretary shall,
18 subject to the availability of appropriations and in accord-
19 ance with applicable law, take all reasonable measures—

20 (1) to provide incentives for new leases under
21 subsection (c)(3);

22 (2) to cap those fugitive methane emissions at
23 the source in any case in which the cap will result
24 in the long-term sequestration of all or a significant
25 portion of the fugitive methane emissions; or

1 (3) to destroy the fugitive methane emissions, if
2 incentivizing leases under paragraph (1) or seques-
3 tration under paragraph (2) is not feasible, with pri-
4 ority for locations that destroy the greatest quantity
5 of fugitive methane emissions at the lowest cost.

6 (e) REPORT TO CONGRESS.—Not later than 4 years
7 after the date of enactment of this Act the Secretary shall
8 submit to the Committee on Energy and Natural Re-
9 sources of the Senate and the Committee on Natural Re-
10 sources of the House of Representatives a report detail-
11 ing—

12 (1) the economic and environmental impacts of
13 the pilot program, including information on in-
14 creased royalties and estimates of avoided green-
15 house gas emissions; and

16 (2) any recommendations of the Secretary on
17 whether the pilot program could be expanded to in-
18 clude—

19 (A) other significant sources of emissions
20 of fugitive methane located outside the bound-
21 aries of the area depicted as “Fugitive Coal
22 Mine Methane Use Pilot Program Area” on the
23 pilot program map; and

1 (B) the leasing of natural methane seeps
2 under the activities authorized pursuant to sub-
3 section (c)(3).

4 **SEC. 5306. EFFECT.**

5 Except as expressly provided in this title, nothing in
6 this title—

7 (1) expands, diminishes, or impairs any valid
8 existing mineral leases, mineral interest, or other
9 property rights wholly or partially within the
10 Thompson Divide Withdrawal and Protection Area,
11 including access to the leases, interests, rights, or
12 land in accordance with applicable Federal, State,
13 and local laws (including regulations);

14 (2) prevents the capture of methane from any
15 active, inactive, or abandoned coal mine covered by
16 this title, in accordance with applicable laws; or

17 (3) prevents access to, or the development of,
18 any new or existing coal mine or lease in Delta or
19 Gunnison County in the State.

20 **TITLE IV—CURECANTI**
21 **NATIONAL RECREATION AREA**

22 **SEC. 5401. DEFINITIONS.**

23 In this title:

24 (1) MAP.—The term “map” means the map en-
25 titled “Curecanti National Recreation Area, Pro-

1 posed Boundary”, numbered 616/100,485D, and
2 dated April 25, 2022 .

3 (2) NATIONAL RECREATION AREA.—The term
4 “National Recreation Area” means the Curecanti
5 National Recreation Area established by section
6 5402(a).

7 (3) SECRETARY.—The term “Secretary” means
8 the Secretary of the Interior.

9 **SEC. 5402. CURECANTI NATIONAL RECREATION AREA.**

10 (a) ESTABLISHMENT.—Effective beginning on the
11 earlier of the date on which the Secretary approves a re-
12 quest under subsection (c)(2)(B)(i)(I) and the date that
13 is 1 year after the date of enactment of this Act, there
14 shall be established as a unit of the National Park System
15 the Curecanti National Recreation Area, in accordance
16 with this Act, consisting of approximately 50,300 acres of
17 land in the State, as generally depicted on the map as
18 “Curecanti National Recreation Area Proposed Bound-
19 ary”.

20 (b) AVAILABILITY OF MAP.—The map shall be on file
21 and available for public inspection in the appropriate of-
22 fices of the National Park Service.

23 (c) ADMINISTRATION.—

1 (1) IN GENERAL.—The Secretary shall admin-
2 ister the National Recreation Area in accordance
3 with—

4 (A) this title; and

5 (B) the laws (including regulations) gen-
6 erally applicable to units of the National Park
7 System, including section 100101(a), chapter
8 1003, and sections 100751(a), 100752,
9 100753, and 102101 of title 54, United States
10 Code.

11 (2) DAM, POWER PLANT, AND RESERVOIR MAN-
12 AGEMENT AND OPERATIONS.—

13 (A) IN GENERAL.—Nothing in this title af-
14 fects or interferes with the authority of the Sec-
15 retary—

16 (i) to operate the Uncompahgre Valley
17 Reclamation Project under the reclamation
18 laws;

19 (ii) to operate the Wayne N. Aspinall
20 Unit of the Colorado River Storage Project
21 under the Act of April 11, 1956 (com-
22 monly known as the “Colorado River Stor-
23 age Project Act”) (43 U.S.C. 620 et seq.);
24 or

1 (iii) under the Federal Water Project
2 Recreation Act (16 U.S.C. 4601–12 et
3 seq.).

4 (B) RECLAMATION LAND.—

5 (i) SUBMISSION OF REQUEST TO RE-
6 TAIN ADMINISTRATIVE JURISDICTION.—If,
7 before the date that is 1 year after the
8 date of enactment of this Act, the Commis-
9 sioner of Reclamation submits to the Sec-
10 retary a request for the Commissioner of
11 Reclamation to retain administrative juris-
12 diction over the minimum quantity of land
13 within the land identified on the map as
14 “Lands withdrawn or acquired for Bureau
15 of Reclamation projects” that the Commis-
16 sioner of Reclamation identifies as nec-
17 essary for the effective operation of Bu-
18 reau of Reclamation water facilities, the
19 Secretary may—

20 (I) approve, approve with modi-
21 fications, or disapprove the request;
22 and

23 (II) if the request is approved
24 under subclause (I), make any modi-
25 fications to the map that are nec-

1 necessary to reflect that the Commis-
2 sioner of Reclamation retains manage-
3 ment authority over the minimum
4 quantity of land required to fulfill the
5 reclamation mission.

6 (ii) TRANSFER OF LAND.—

7 (I) IN GENERAL.—Administrative
8 jurisdiction over the land identified on
9 the map as “Lands withdrawn or ac-
10 quired for Bureau of Reclamation
11 projects”, as modified pursuant to
12 clause (i)(II), if applicable, shall be
13 transferred from the Commissioner of
14 Reclamation to the Director of the
15 National Park Service by not later
16 than the date that is 1 year after the
17 date of enactment of this Act.

18 (II) ACCESS TO TRANSFERRED
19 LAND.—

20 (aa) IN GENERAL.—Subject
21 to item (bb), the Commissioner
22 of Reclamation shall retain ac-
23 cess to the land transferred to
24 the Director of the National Park
25 Service under subclause (I) for

1 reclamation purposes, including
2 for the operation, maintenance,
3 and expansion or replacement of
4 facilities.

5 (bb) MEMORANDUM OF UN-
6 DERSTANDING.—The terms of
7 the access authorized under item
8 (aa) shall be determined by a
9 memorandum of understanding
10 entered into between the Com-
11 missioner of Reclamation and the
12 Director of the National Park
13 Service not later than 1 year
14 after the date of enactment of
15 this Act.

16 (3) MANAGEMENT AGREEMENTS.—

17 (A) IN GENERAL.—The Secretary may
18 enter into management agreements, or modify
19 management agreements in existence on the
20 date of enactment of this Act, relating to the
21 authority of the Director of the National Park
22 Service, the Commissioner of Reclamation, the
23 Director of the Bureau of Land Management,
24 or the Chief of the Forest Service to manage

1 Federal land within or adjacent to the boundary
2 of the National Recreation Area.

3 (B) STATE LAND.—The Secretary may
4 enter into cooperative management agreements
5 for any land administered by the State that is
6 within or adjacent to the National Recreation
7 Area, in accordance with the cooperative man-
8 agement authority under section 101703 of title
9 54, United States Code.

10 (4) RECREATIONAL ACTIVITIES.—

11 (A) AUTHORIZATION.—Except as provided
12 in subparagraph (B), the Secretary shall allow
13 boating, boating-related activities, hunting, and
14 fishing in the National Recreation Area in ac-
15 cordance with applicable Federal and State
16 laws.

17 (B) CLOSURES; DESIGNATED ZONES.—

18 (i) IN GENERAL.—The Secretary, act-
19 ing through the Superintendent of the Na-
20 tional Recreation Area, may designate
21 zones in which, and establish periods dur-
22 ing which, no boating, hunting, or fishing
23 shall be permitted in the National Recre-
24 ation Area under subparagraph (A) for

1 reasons of public safety, administration, or
2 compliance with applicable laws.

3 (ii) CONSULTATION REQUIRED.—Ex-
4 cept in the case of an emergency, any clo-
5 sure proposed by the Secretary under
6 clause (i) shall not take effect until after
7 the date on which the Superintendent of
8 the National Recreation Area consults
9 with—

10 (I) the appropriate State agency
11 responsible for hunting and fishing
12 activities; and

13 (II) the Board of County Com-
14 missioners in each county in which
15 the zone is proposed to be designated.

16 (5) LANDOWNER ASSISTANCE.—On the written
17 request of an individual that owns private land lo-
18 cated within the area generally depicted as “Con-
19 servation Opportunity Area” on the map entitled
20 “Preferred Alternative” in the document entitled
21 “Report to Congress: Curecanti Special Resource
22 Study” and dated June 2009, the Secretary may
23 work in partnership with the individual to enhance
24 the long-term conservation of natural, cultural, rec-

1 reational, and scenic resources in and around the
2 National Recreation Area—

3 (A) by acquiring all or a portion of the pri-
4 vate land or interests in private land within the
5 Conservation Opportunity Area by purchase, ex-
6 change, or donation, in accordance with section
7 5403;

8 (B) by providing technical assistance to the
9 individual, including cooperative assistance;

10 (C) through available grant programs; and

11 (D) by supporting conservation easement
12 opportunities.

13 (6) INCORPORATION OF ACQUIRED LAND AND
14 INTERESTS.—Any land or interest in land acquired
15 by the United States under paragraph (5) shall—

16 (A) become part of the National Recre-
17 ation Area; and

18 (B) be managed in accordance with this
19 title.

20 (7) WITHDRAWAL.—Subject to valid existing
21 rights, all Federal land within the National Recre-
22 ation Area, including land acquired pursuant to this
23 section, is withdrawn from—

24 (A) entry, appropriation, and disposal
25 under the public land laws;

1 (B) location, entry, and patent under the
2 mining laws; and

3 (C) operation of the mineral leasing, min-
4 eral materials, and geothermal leasing laws.

5 (8) GRAZING.—

6 (A) STATE LAND SUBJECT TO A STATE
7 GRAZING LEASE.—

8 (i) IN GENERAL.—If State land ac-
9 quired under this title is subject to a State
10 grazing lease in effect on the date of acqui-
11 sition, the Secretary shall allow the grazing
12 to continue for the remainder of the term
13 of the lease, subject to the related terms
14 and conditions of user agreements, includ-
15 ing permitted stocking rates, grazing fee
16 levels, access rights, and ownership and
17 use of range improvements.

18 (ii) ACCESS.—A lessee of State land
19 may continue to use established routes
20 within the National Recreation Area to ac-
21 cess State land for purposes of admin-
22 istering the lease if the use was permitted
23 before the date of enactment of this Act,
24 subject to such terms and conditions as the
25 Secretary may require.

1 (B) STATE AND PRIVATE LAND.—The Sec-
2 retary may, in accordance with applicable laws,
3 authorize grazing on land acquired from the
4 State or private landowners under section 5403,
5 if grazing was established before the date of ac-
6 quisition.

7 (C) PRIVATE LAND.—On private land ac-
8 quired under section 5403 for the National
9 Recreation Area on which authorized grazing is
10 occurring before the date of enactment of this
11 Act, the Secretary, in consultation with the les-
12 see, may allow the continuation and renewal of
13 grazing on the land based on the terms of ac-
14 quisition or by agreement between the Secretary
15 and the lessee, subject to applicable law (includ-
16 ing regulations).

17 (D) FEDERAL LAND.—The Secretary
18 shall—

19 (i) allow, consistent with the grazing
20 leases, uses, and practices in effect as of
21 the date of enactment of this Act, the con-
22 tinuation and renewal of grazing on Fed-
23 eral land located within the boundary of
24 the National Recreation Area on which
25 grazing is allowed before the date of enact-

1 ment of this Act, unless the Secretary de-
2 termines that grazing on the Federal land
3 would present unacceptable impacts (as de-
4 fined in section 1.4.7.1 of the National
5 Park Service document entitled “Manage-
6 ment Policies 2006: The Guide to Man-
7 aging the National Park System”) to the
8 natural, cultural, recreational, and scenic
9 resource values and the character of the
10 land within the National Recreation Area;
11 and

12 (ii) retain all authorities to manage
13 grazing in the National Recreation Area.

14 (E) TERMINATION OF LEASES.—Within
15 the National Recreation Area, the Secretary
16 may—

17 (i) accept the voluntary termination of
18 a lease or permit for grazing; or

19 (ii) in the case of a lease or permit va-
20 cated for a period of 3 or more years, ter-
21 minate the lease or permit.

22 (9) WATER RIGHTS.—Nothing in this title—

23 (A) affects any use or allocation in exist-
24 ence on the date of enactment of this Act of
25 any water, water right, or interest in water;

1 (B) affects any vested absolute or decreed
2 conditional water right in existence on the date
3 of enactment of this Act, including any water
4 right held by the United States;

5 (C) affects any interstate water compact in
6 existence on the date of enactment of this Act;

7 (D) shall be considered to be a relinquish-
8 ment or reduction of any water right reserved
9 or appropriated by the United States in the
10 State on or before the date of enactment of this
11 Act; or

12 (E) constitutes an express or implied Fed-
13 eral reservation of any water or water rights
14 with respect to the National Recreation Area.

15 (10) FISHING EASEMENTS.—

16 (A) IN GENERAL.—Nothing in this title di-
17 minishes or alters the fish and wildlife program
18 for the Aspinall Unit developed under section 8
19 of the Act of April 11, 1956 (commonly known
20 as the “Colorado River Storage Project Act”)
21 (70 Stat. 110, chapter 203; 43 U.S.C. 620g),
22 by the United States Fish and Wildlife Service,
23 the Bureau of Reclamation, and the Colorado
24 Division of Wildlife (including any successor in
25 interest to that division) that provides for the

1 acquisition of public access fishing easements as
2 mitigation for the Aspinall Unit (referred to in
3 this paragraph as the “program”).

4 (B) ACQUISITION OF FISHING EASE-
5 MENTS.—The Secretary shall continue to fulfill
6 the obligation of the Secretary under the pro-
7 gram to acquire 26 miles of class 1 public fish-
8 ing easements to provide to sportsmen access
9 for fishing within the Upper Gunnison Basin
10 upstream of the Aspinall Unit, subject to the
11 condition that no existing fishing access down-
12 stream of the Aspinall Unit shall be counted to-
13 ward the minimum mileage requirement under
14 the program.

15 (C) PLAN.—Not later than 1 year after
16 the date of enactment of this Act, the Secretary
17 shall develop a plan for fulfilling the obligation
18 of the Secretary described in subparagraph (B)
19 by the date that is 10 years after the date of
20 enactment of this Act.

21 (D) REPORTS.—Not later than each of 2
22 years, 5 years, and 8 years after the date of en-
23 actment of this Act, the Secretary shall submit
24 to Congress a report that describes the progress

1 made in fulfilling the obligation of the Secretary
2 described in subparagraph (B).

3 (d) TRIBAL RIGHTS AND USES.—

4 (1) TREATY RIGHTS.—Nothing in this title af-
5 fects the treaty rights of any Indian Tribe.

6 (2) TRADITIONAL TRIBAL USES.—Subject to
7 any terms and conditions as the Secretary deter-
8 mines to be necessary and in accordance with appli-
9 cable law, the Secretary shall allow for the continued
10 use of the National Recreation Area by members of
11 Indian Tribes—

12 (A) for traditional ceremonies; and

13 (B) as a source of traditional plants and
14 other materials.

15 **SEC. 5403. ACQUISITION OF LAND; BOUNDARY MANAGE-**
16 **MENT.**

17 (a) ACQUISITION.—

18 (1) IN GENERAL.—The Secretary may acquire
19 any land or interest in land within the boundary of
20 the National Recreation Area.

21 (2) MANNER OF ACQUISITION.—

22 (A) IN GENERAL.—Subject to subpara-
23 graph (B), land described in paragraph (1) may
24 be acquired under this subsection by—

25 (i) donation;

- 1 (ii) purchase from willing sellers with
2 donated or appropriated funds;
3 (iii) transfer from another Federal
4 agency; or
5 (iv) exchange.

6 (B) STATE LAND.—Land or interests in
7 land owned by the State or a political subdivi-
8 sion of the State may only be acquired by pur-
9 chase, donation, or exchange.

10 (b) TRANSFER OF ADMINISTRATIVE JURISDIC-
11 TION.—

12 (1) FOREST SERVICE LAND.—

13 (A) IN GENERAL.—Administrative jurisdic-
14 tion over the approximately 2,500 acres of land
15 identified on the map as “U.S. Forest Service
16 proposed transfer to the National Park Service”
17 is transferred to the Secretary, to be adminis-
18 tered by the Director of the National Park
19 Service as part of the National Recreation
20 Area.

21 (B) BOUNDARY ADJUSTMENT.—The
22 boundary of the Gunnison National Forest shall
23 be adjusted to exclude the land transferred to
24 the Secretary under subparagraph (A).

1 (2) BUREAU OF LAND MANAGEMENT LAND.—
2 Administrative jurisdiction over the approximately
3 6,100 acres of land identified on the map as “Bu-
4 reau of Land Management proposed transfer to Na-
5 tional Park Service” is transferred from the Director
6 of the Bureau of Land Management to the Director
7 of the National Park Service, to be administered as
8 part of the National Recreation Area.

9 (3) WITHDRAWAL.—Administrative jurisdiction
10 over the land identified on the map as “Proposed for
11 transfer to the Bureau of Land Management, sub-
12 ject to the revocation of Bureau of Reclamation
13 withdrawal” shall be transferred to the Director of
14 the Bureau of Land Management on relinquishment
15 of the land by the Bureau of Reclamation and rev-
16 ocation by the Bureau of Land Management of any
17 withdrawal as may be necessary.

18 (c) POTENTIAL LAND EXCHANGE.—

19 (1) IN GENERAL.—The withdrawal for reclama-
20 tion purposes of the land identified on the map as
21 “Potential exchange lands” shall be relinquished by
22 the Commissioner of Reclamation and revoked by
23 the Director of the Bureau of Land Management
24 and the land shall be transferred to the National
25 Park Service.

1 (2) EXCHANGE; INCLUSION IN NATIONAL
2 RECREATION AREA.—On transfer of the land de-
3 scribed in paragraph (1), the transferred land—

4 (A) may be exchanged by the Secretary for
5 private land described in section 5402(c)(5)—

6 (i) subject to a conservation easement
7 remaining on the transferred land, to pro-
8 tect the scenic resources of the transferred
9 land; and

10 (ii) in accordance with the laws (in-
11 cluding regulations) and policies governing
12 National Park Service land exchanges; and

13 (B) if not exchanged under subparagraph
14 (A), shall be added to, and managed as a part
15 of, the National Recreation Area.

16 (d) ADDITION TO NATIONAL RECREATION AREA.—
17 Any land within the boundary of the National Recreation
18 Area that is acquired by the United States shall be added
19 to, and managed as a part of, the National Recreation
20 Area.

21 **SEC. 5404. GENERAL MANAGEMENT PLAN.**

22 Not later than 3 years after the date on which funds
23 are made available to carry out this title, the Director of
24 the National Park Service, in consultation with the Com-
25 missioner of Reclamation, shall prepare a general manage-

1 ment plan for the National Recreation Area in accordance
2 with section 100502 of title 54, United States Code.

3 **SEC. 5405. BOUNDARY SURVEY.**

4 The Secretary (acting through the Director of the
5 National Park Service) shall prepare a boundary survey
6 and legal description of the National Recreation Area.

